

NO. _____

STATE OF TEXAS,
Plaintiff

vs.

RONALD GENE MORGAN d/b/a
STATE AND COUNTY TAX
REDUCTION d/b/a STATE AND COUNTY
TAX REDEMPTION CENTER

Defendant.

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IN THE DISTRICT COURT OF

COLLIN COUNTY, T E X A S

_____ JUDICIAL DISTRICT

EX PARTE TEMPORARY RESTRAINING ORDER

The STATE OF TEXAS, Plaintiff, acting by and through Attorney General GREG ABBOTT (“ATTORNEY GENERAL”), has filed its Original Petition in this cause seeking a Temporary and Permanent Injunction against Defendant RONALD GENE MORGAN d/b/a STATE AND COUNTY TAX REDUCTION d/b/a STATE AND COUNTY TAX REDEMPTION CENTER (“Defendant Morgan”) and in the same Original Petition has presented its request for a Temporary Restraining Order.

1. The Court FINDS that Defendant may be violating §§ 17.46(a) and (b) of the Texas Deceptive Trade Practices-Consumer Protection Act (“DTPA”), TEX. BUS. & COM. CODE § 17.41 *et seq.*

2. It appears from the facts set forth in the Plaintiff’s Original Petition and exhibits and sworn affidavit attached thereto that unless Defendant is immediately restrained from the acts prohibited below, Defendant will continue to commit such acts before notice can be given and a hearing can be held on the STATE OF TEXAS’ request for a Temporary Injunction, and Defendant

will continue to use false, misleading, or deceptive trade practices by failing to include disclosures required by Texas Property Code §41.0051 in its solicitations; sending solicitations that appear to be correspondence from the Collin County Tax Assessor Collector's Office; causing confusion or misunderstanding as their affiliation with the Collin County Tax Assessor Collector's Office; and misrepresenting directly or indirectly that he is affiliated with the Collin County Tax Assessor Collector's Office. Such injury would be irreparable because continued violations of the DTPA may cause many more consumers to lose their money due to Defendant MORGAN's false, misleading, or deceptive conduct.

4. **IT IS THEREFORE ORDERED** that Defendant RONALD GENE MORGAN d/b/a STATE AND COUNTY TAX REDUCTION d/b/a STATE AND COUNTY TAX REDEMPTION CENTER and his officers, agents, servants, employees, attorneys and any other persons in active concert or participation with Defendant, who receive actual notice of this Order by personal service or otherwise, whether acting directly or through any trust, corporation, subsidiary, division, or other devise, shall be restrained from engaging in the following acts or practices:

- A. Transferring, concealing, destroying, or removing from the jurisdiction of this Court any books, records, documents, invoices or other written materials relating to business of Defendant currently or hereafter in Defendant's possession, custody or control except in response to further orders or subpoenas in this cause;
- B. Failing to include the following statement or substantially similar statement in 14-point type as required by Texas Property Code §41.0051 in its solicitations regarding homestead exemption applications:

"THIS DOCUMENT IS AN ADVERTISEMENT OF SERVICES. IT IS NOT AN OFFICIAL DOCUMENT OF THE STATE OF TEXAS."
- C. Sending solicitations that appear to consumers to be correspondence from the Collin County Tax Assessor Collector's Office;

- D. Causing confusion or misunderstanding as to Defendant MORGAN's affiliation with the Collin County Tax Assessor Collector's Office;
- E. Misrepresenting, directly or indirectly, that Defendant MORGAN's services are affiliated with or sponsored by the Collin County Tax Assessor Collector's Office;
- F. Causing confusion or misunderstanding as to the source, sponsorship, approval, or certification of goods or services;
- G. Causing confusion or misunderstanding as to the affiliation, connection, or association with or certification by another;
- H. Representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits or quantities which they do not have or that a person has a sponsorship, approval, status, affiliation, or connection which they do not have; and
- I. Failing to disclose information concerning goods or services which was known at the time of the transaction when such failure to disclose such information was intended to induce the consumer into a transaction into which the consumer would not have entered had the information been disclosed;
- J. Failing to provide to any of Defendant's agents, servants, employees or representatives, written notice of the existence and terms of any injunction entered in this case, and of their duty to comply with its terms; and
- K. Accepting any payment from consumers who were solicited using any solicitations that did not include the language required by Texas Property Code §41.0051.

5. **IT IS FURTHER ORDERED** that Plaintiff shall be granted leave to take telephonic, video, written, and other depositions prior to any scheduled temporary injunction hearing upon reasonable shortened notice to Defendants.

6. **IT IS FURTHER ORDERED** that Defendant in this cause be and hereby are commanded forthwith to comply with this Order from the date of entry until and to the 14th day after entry or until further Order of this Court, whichever is less.

7. The Clerk of the above Court shall forthwith issue an Ex Parte Temporary Restraining Order in conformity with the law and the terms of this Order. This Order shall be effective without the execution and filing of a bond as Plaintiff, STATE OF TEXAS is exempt from such bond under TEX. BUS. & COM. CODE ANN. § 17.46(b).

8. Hearing on Plaintiff, STATE OF TEXAS' Application for a Temporary Injunction is hereby set for the _____ day of _____, 2003, at _____ o'clock, _____.m.

SIGNED this _____ day of _____, 2003, at _____ o'clock, _____.m.

PRESIDING JUDGE